

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:13-cv-00555-RDM**

SHAPIRO et al v. DEPARTMENT OF JUSTICE
Assigned to: Judge Randolph D. Moss
Case in other court: USCA, 16-05226
Cause: 05:552 Freedom of Information Act

Date Filed: 04/24/2013
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**RYAN NOAH SHAPIRO**

represented by **Jeffrey Louis Light**
LAW OFFICES OF JEFFREY LIGHT
1712 Eye Street, NW
Suite 915
Washington, DC 20006
(202) 277-6213
Fax: (202) 223-5316
Email: jeffrey@lawofficeofjeffreylight.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kelly Brian McClanahan
NATIONAL SECURITY COUNSELORS
4702 Levada Terrace
Rockville, MD 20853
(301) 728-5908
Fax: (240) 681-2189
Email: kel@nationalsecuritylaw.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff**JEFFREY STEIN**

represented by **Kelly Brian McClanahan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff**NATIONAL SECURITY
COUNSELORS**

represented by **Kelly Brian McClanahan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff**TRUTHOUT**

represented by **Kelly Brian McClanahan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**DEPARTMENT OF JUSTICE**

represented by **Kenneth A. Adebonojo**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2562

Fax: (202) 252-2599
 Email: kenneth.adebonojo@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/24/2013	<u>1</u>	COMPLAINT against DEPARTMENT OF JUSTICE (Filing fee \$ 350 receipt number 0090-3294012) filed by TRUTHOUT, RYAN NOAH SHAPIRO, NATIONAL SECURITY COUNSELORS, JEFFREY STEIN. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit – LCvR 7.1 certificate (NSC), # <u>3</u> Exhibit – LCvR 7.1 certificate (Truthout), # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons)(McClanahan, Kelly) (Entered: 04/24/2013)
04/24/2013		Case Assigned to Judge Richard W. Roberts. (kb) (Entered: 04/24/2013)
04/24/2013	<u>2</u>	ELECTRONIC SUMMONS (3) Issued as to DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Consent Form, # <u>4</u> Notice of Consent)(kb) (Entered: 04/24/2013)
04/24/2013	<u>3</u>	NOTICE of Appearance by Jeffrey Louis Light on behalf of RYAN NOAH SHAPIRO (Light, Jeffrey) (Entered: 04/24/2013)
04/24/2013	<u>4</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by NATIONAL SECURITY COUNSELORS, TRUTHOUT (Attachments: # <u>1</u> Exhibit – LCvR 7.1 certificate)(McClanahan, Kelly) (Entered: 04/24/2013)
04/30/2013	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF JUSTICE served on 4/29/2013, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 04/29/2013., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/29/2013. (Answer due for ALL FEDERAL DEFENDANTS by 5/29/2013.) (Attachments: # <u>1</u> Exhibit)(McClanahan, Kelly) . Modified on 5/2/2013 to reinstate docket entry (jf,). (Entered: 04/30/2013)
05/29/2013	<u>6</u>	Consent MOTION for Extension of Time to <i>File a Response to Plaintiffs' Complaint</i> by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 05/29/2013)
06/05/2013	<u>7</u>	ANSWER to Complaint by DEPARTMENT OF JUSTICE.(Adebonojo, Kenneth) (Entered: 06/05/2013)
06/12/2013		MINUTE ORDER: It is hereby ORDERED that the defendant's motion <u>6</u> for an extension of time to file a response to the plaintiffs' complaint be, and hereby is, GRANTED nunc pro tunc. Signed by Judge Richard W. Roberts on 6/12/13. (lcrwr2) (Entered: 06/12/2013)
06/12/2013	<u>8</u>	DISCHARGED PER MEMORANDUM OPINION AND ORDER FILED 9/19/2013.....ORDER TO SHOW CAUSE: Plaintiffs shall show cause in writing by June 24, 2013 why Counts 1 to 4 of their complaint should not be severed from Count 5 under Federal Rule of Civil Procedure 21 or dismissed. Signed by Judge Richard W. Roberts on 6/12/13. (lcrwr2) Modified on 9/20/2013 (zmm,). (Entered: 06/12/2013)
06/13/2013		Set/Reset Deadlines: Plaintiff's Response to Show Cause due by 6/24/2013. (hs) (Entered: 06/13/2013)
06/24/2013	<u>9</u>	RESPONSE TO ORDER TO SHOW CAUSE by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT . (Attachments: # <u>1</u> Exhibit A – O'Neill–McClanahan email)(McClanahan, Kelly) (Entered: 06/24/2013)
07/01/2013		MINUTE ORDER: On June 24, 2013, the plaintiffs responded to the June 12, 2013 Order to Show Cause why Counts 1 to 4 of their complaint should not be severed from Count 5 under Federal Rule of Civil Procedure 21 or dismissed. In their response, the plaintiffs argued that their individual Freedom of Information Act ("FOIA") requests arise out of the same transaction or occurrence because search slips responsive to the

		plaintiffs' FOIA requests were withheld because of the Federal Bureau of Investigation's ("FBI") blanket policy to withhold all search slips that are less than 25 years old. However, the plaintiffs' complaint claims that the defendant wrongfully withheld numerous responsive records including, but not limited to, FBI search slips, and seeks disclosure of all responsive records. To clarify the scope of the plaintiffs' complaint, it is hereby ORDERED that the plaintiffs file a supplement to their response by July 8, 2013 explaining whether they are narrowing their claims to include only withheld FBI search slips. Signed by Judge Richard W. Roberts on 7/1/13. (lcrwr2) (Entered: 07/01/2013)
07/02/2013		Set/Reset Deadlines: Supplemental Memorandum due by 7/8/2013. (hs) (Entered: 07/02/2013)
07/08/2013	<u>10</u>	RESPONSE TO ORDER TO SHOW CAUSE by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT re Order, . (Attachments: # <u>1</u> Exhibit A – FBI letter)(McClanahan, Kelly) (Entered: 07/08/2013)
08/09/2013	<u>11</u>	MOTION for Leave to File to <i>File a Response to Plaintiffs' Response to the Court's Orders to Show Cause</i> by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Exhibit A)(Adebonojo, Kenneth) (Entered: 08/09/2013)
08/29/2013	<u>12</u>	Case reassigned by consent to Judge Paul L. Friedman. Chief Judge Richard W. Roberts no longer assigned to the case. (gt,) (Entered: 08/29/2013)
08/29/2013	<u>13</u>	MOTION for Extension of Time to File Response/Reply as to <u>11</u> MOTION for Leave to File to <i>File a Response to Plaintiffs' Response to the Court's Orders to Show Cause (Nunc Pro Tunc)</i> by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 08/29/2013)
08/29/2013	<u>14</u>	Memorandum in opposition to re <u>11</u> MOTION for Leave to File to <i>File a Response to Plaintiffs' Response to the Court's Orders to Show Cause</i> filed by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 08/29/2013)
08/30/2013		MINUTE ORDER granting <u>13</u> plaintiffs' nunc pro tunc motion for brief extension of time up to and including August 29, 2013 to file their opposition to defendant's motion for leave to file defendant's response to plaintiff's response to court's orders to show cause. Signed by Judge Paul L. Friedman on August 30, 2013. (MA) (Entered: 08/30/2013)
09/03/2013		MINUTE ORDER granting <u>11</u> defendant's motion for leave to file a response to plaintiff's response to the Court's orders to show cause. The Clerk shall file defendant's response on the docket of this case. Signed by Judge Paul L. Friedman on September 3, 2013. (MA) (Entered: 09/03/2013)
09/03/2013	<u>15</u>	RESPONSE re <u>10</u> Response to Order to Show Cause filed by DEPARTMENT OF JUSTICE. (jf,) (Entered: 09/04/2013)
09/04/2013		MINUTE ORDER: There will be a status conference on September 16, 2013 at 10:00 a.m. before Judge Paul L. Friedman in Courtroom 29A. Signed by Judge Paul L. Friedman on September 4, 2013. (MA) (Entered: 09/04/2013)
09/16/2013		Minute Entry for proceedings held before Judge Paul L. Friedman: Status Conference held on 9/16/2013. (Court Reporter Cathryn Jones.) (ztg,) (Entered: 09/16/2013)
09/19/2013	<u>16</u>	MEMORANDUM OPINION AND ORDER discharging [#8] order to show cause issued by Chief Judge Roberts; the parties shall meet and confer, and shall file a joint report containing a proposed briefing schedule on or before October 3, 2013. Signed by Judge Paul L. Friedman on September 19, 2013. (MA) Modified on 9/20/2013 (zmm,). (Entered: 09/19/2013)
09/20/2013		Set/Reset Deadlines: Joint Report due by 10/3/2013. (zmm,) (Entered: 09/20/2013)
10/03/2013	<u>17</u>	Consent MOTION to Stay re <u>16</u> Memorandum & Opinion, by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN,

		TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 10/03/2013)
10/04/2013		MINUTE ORDER granting <u>17</u> plaintiffs unopposed motion to stay the deadline for the parties joint status report. The previous deadline of October 3, 2013, is hereby vacated. The parties shall file their joint status report no later than three business days following congressional appropriation of funds to the Department of Justice. Signed by Judge Paul L. Friedman on October 4, 2013. (MA) (Entered: 10/04/2013)
11/27/2013	<u>18</u>	STATUS REPORT <i>JOINT</i> by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (Light, Jeffrey) (Entered: 11/27/2013)
12/24/2013	<u>19</u>	ORDER that defendant's motion for summary judgment shall be filed on or before February 4, 2014; plaintiffs' opposition or cross-motion for summary judgment shall be filed on or before March 4, 2014; defendant's opposition to plaintiffs' cross-motion or reply to plaintiffs' opposition shall be filed on or before March 25, 2014; and plaintiffs' reply to defendant's opposition to plaintiffs' cross-motion for summary judgment shall be filed on or before April 8, 2014. No further extensions of time will be granted except for extraordinarily good cause. Signed by Judge Paul L. Friedman on December 24, 2013. (MA) (Entered: 12/24/2013)
12/27/2013		Set/Reset Deadlines: Summary Judgment motion due by 2/4/2014. Response to Motion for Summary Judgment and Cross Motion for Summary Judgment due 3/4/2014. Reply to Summary Judgment Motion and Response to Cross Motion due by 3/25/2014. Cross Motion Reply due 4/8/2014.(zmm,) (Entered: 12/27/2013)
02/04/2014	<u>20</u>	First MOTION for Extension of Time to <i>File Defendant's Dispositive Motion</i> by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 02/04/2014)
02/05/2014		MINUTE ORDER granting <u>20</u> defendant's consent Motion for Extension of Time up to and including February 6, 2014 to file defendant's dispositive motion. Signed by Judge Paul L. Friedman on Febraury 5, 2014. (MA) (Entered: 02/05/2014)
02/06/2014		Set/Reset Deadlines: Dispositive Motion due by 2/6/2014. (zmm,) (Entered: 02/06/2014)
02/06/2014	<u>21</u>	MOTION for Summary Judgment by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration, # <u>4</u> Exhibit A-Z, # <u>5</u> Exhibit AA-RR)(Adebonojo, Kenneth) (Entered: 02/06/2014)
03/04/2014	<u>22</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>21</u> MOTION for Summary Judgment by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 03/04/2014)
03/05/2014		MINUTE ORDER granting <u>22</u> plaintiffs' unopposed motion for an extension of time in which to file their opposition to defendant's motion for summary judgment. Plaintiffs' opposition shall be filed on or before March 11, 2014. Signed by Judge Paul L. Friedman on March 5, 2014. (MA) (Entered: 03/05/2014)
03/05/2014		Set/Reset Deadlines: Response to Motion for Summary Judgment due by 3/11/2014. (zmm,) (Entered: 03/05/2014)
03/11/2014	<u>23</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>21</u> MOTION for Summary Judgment by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 03/11/2014)
03/12/2014		MINUTE ORDER granting <u>23</u> plaintiffs' unopposed motion for an extension of time in which to file their opposition to defendant's motion for summary judgment. Plaintiffs' opposition shall be filed on or before March 17, 2014. Signed by Judge Paul L. Friedman on March 12, 2013. (MA) (Entered: 03/12/2014)
03/13/2014		Set/Reset Deadlines: Response to Motion for Summary Judgment due by 3/17/2014. (zmm,) (Entered: 03/13/2014)

03/17/2014	<u>24</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>21</u> MOTION for Summary Judgment by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 03/17/2014)
03/18/2014		MINUTE ORDER granting <u>24</u> plaintiffs' consent motion for an extension of time in which to file their opposition to defendant's summary judgment motion. Plaintiffs' opposition is due March 19, 2014. Signed by Judge Paul L. Friedman on March 18, 2014. (MA) (Entered: 03/18/2014)
03/18/2014		Set/Reset Deadlines: Response to Motion for Summary Judgment due by 3/19/2014. (zmm,) (Entered: 03/18/2014)
03/19/2014	<u>25</u>	MOTION for Extension of Time to File Response/Reply as to <u>21</u> MOTION for Summary Judgment by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 03/19/2014)
03/20/2014		MINUTE ORDER granting <u>25</u> plaintiffs' motion for extension of time up to and including March 20, 2014 to file their opposition to defendant's motion for summary judgment. Signed by Judge Paul L. Friedman on March 20, 2014. (MA) (Entered: 03/20/2014)
03/20/2014	<u>26</u>	MOTION for Leave to File Excess Pages by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 03/20/2014)
03/20/2014	<u>27</u>	Memorandum in opposition to re <u>21</u> MOTION for Summary Judgment filed by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (Attachments: # <u>1</u> Exhibit A – McClanahan–Adebomojo email, # <u>2</u> Exhibit B – FDPS Operations Guide, # <u>3</u> Exhibit C – Example Hitlist, # <u>4</u> Exhibit D – Example History, # <u>5</u> Exhibit E – Example Notes, # <u>6</u> Exhibit F – Example Case Evaluation Form, # <u>7</u> Exhibit G – Negley Hardy Declarations, # <u>8</u> Exhibit H – Hodge Hardy Declaration, # <u>9</u> Exhibit I – Marshall Hardy Declaration, # <u>10</u> Exhibit J – Rimmer Hardy Declaration, # <u>11</u> Exhibit K – Davis Hardy Declaration, # <u>12</u> Exhibit L – Calle Hardy Declaration, # <u>13</u> Exhibit M – Example Search Slips, # <u>14</u> Exhibit N – Memo 28, # <u>15</u> Exhibit O – Original NSC Requests, # <u>16</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 03/20/2014)
03/20/2014	<u>28</u>	Cross MOTION for Summary Judgment (<i>Partial</i>) by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 03/20/2014)
03/24/2014		Set/Reset Deadlines: Response to Motion for Summary Judgment due by 3/20/2014. (zmm,) (Entered: 03/24/2014)
04/08/2014	<u>29</u>	First MOTION for Extension of Time to <i>File Defendant's Opposition/Reply to Plaintiff's Opposition/Cross Motion to Defendant's Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Adebomojo, Kenneth) (Entered: 04/08/2014)
04/09/2014		MINUTE ORDER granting <u>29</u> defendant's Motion for Extension of Time up to and including May 9, 2014 to file opposition to plaintiffs' cross motion and/or reply to plaintiffs' opposition. Signed by Judge Paul L. Friedman on April 9, 2014. (MA) (Entered: 04/09/2014)
04/09/2014		Set/Reset Deadlines: Response to Cross Motion and/or Reply to Plaintiffs' Opposition due by 5/9/2014. (zmm,) (Entered: 04/09/2014)
04/29/2014		MINUTE ORDER granting nunc pro tunc <u>26</u> plaintiffs' motion for leave to file nine additional pages beyond the 45–page limit imposed by the local civil rules. Signed by Judge Paul L. Friedman on April 29, 2014. (MA) (Entered: 04/29/2014)
05/08/2014	<u>30</u>	MOTION for Extension of Time to <i>File Defendant's Opposition/Reply to Plaintiffs' Cross–Motion/Opposition to Defendant's Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Adebomojo, Kenneth) (Entered: 05/08/2014)

05/09/2014		MINUTE ORDER granting <u>30</u> defendant's Motion for Extension of Time. Defendants shall file their opposition to plaintiffs' cross motion and/or reply to plaintiffs' opposition on or before May 19, 2014; and plaintiffs' response pleading will be due on or before June 17, 2014. Signed by Judge Paul L. Friedman on May 9, 2014. (MA) (Entered: 05/09/2014)
05/12/2014		Set/Reset Deadlines: Response to Cross Motion due by 5/19/2014. Reply to Motion for Summary Judgment due by 5/19/2014. Reply to Cross Motions due by 6/17/2014. (zmm,) (Entered: 05/12/2014)
05/19/2014	<u>31</u>	REPLY to opposition to motion re <u>21</u> MOTION for Summary Judgment filed by DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Exhibit 1 & 2)(Adebonojo, Kenneth) (Entered: 05/19/2014)
05/19/2014	<u>32</u>	Memorandum in opposition to re <u>28</u> Cross MOTION for Summary Judgment (<i>Partial</i>) filed by DEPARTMENT OF JUSTICE. (Adebonojo, Kenneth) (Entered: 05/19/2014)
05/19/2014	<u>33</u>	MOTION for Leave to File <i>First In Camera, Ex Parte and Third Overall Declaration of David M. Hardy</i> by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 05/19/2014)
06/05/2014	<u>34</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>33</u> MOTION for Leave to File <i>First In Camera, Ex Parte and Third Overall Declaration of David M. Hardy</i> by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 06/05/2014)
06/06/2014		MINUTE ORDER granting <u>34</u> plaintiffs' consent Motion for Extension of Time up to and including June 17, 2014 to file their opposition to defendant's motion for leave to submit an ex parte, in camera declaration; defendant shall have up to and including July 25, 2014 to file its reply. Signed by Judge Paul L. Friedman on June 6, 2014. (MA) (Entered: 06/06/2014)
06/10/2014		Set/Reset Deadlines: Response to motion for leave to submit ex parte, in camera declaration due by 6/17/2014. Reply due by 7/25/2014. (zmm,) (Entered: 06/10/2014)
06/17/2014	<u>35</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>33</u> MOTION for Leave to File <i>First In Camera, Ex Parte and Third Overall Declaration of David M. Hardy</i> , <u>28</u> Cross MOTION for Summary Judgment (<i>Partial</i>) by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 06/17/2014)
06/18/2014		MINUTE ORDER granting <u>35</u> plaintiffs' consent Motion for Extension of Time up to and including June 19, 2014 to file their reply in support of their cross motion for partial summary judgment and their opposition to defendant's motion for leave to submit an ex parte, in camera declaration. Signed by Judge Paul L. Friedman on June 18, 2014. (MA) (Entered: 06/18/2014)
06/19/2014	<u>36</u>	Memorandum in opposition to re <u>33</u> MOTION for Leave to File <i>First In Camera, Ex Parte and Third Overall Declaration of David M. Hardy</i> filed by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (Attachments: # <u>1</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 06/19/2014)
06/19/2014	<u>37</u>	REPLY to opposition to motion re <u>28</u> Cross MOTION for Summary Judgment (<i>Partial</i>) filed by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (McClanahan, Kelly) (Entered: 06/19/2014)
06/19/2014	<u>38</u>	MOTION for Leave to File <i>Sur-reply</i> by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Exhibit Sur-reply, # <u>2</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 06/19/2014)
06/30/2014	<u>39</u>	MOTION for Extension of Time to <i>File Defendant's Opposition to Plaintiff's Motion for Leave to File a Surreply</i> by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 06/30/2014)

07/01/2014		MINUTE ORDER granting <u>39</u> defendant's Motion for Extension of Time up to and including July 25, 2014 to file its opposition to plaintiff's motion for leave to file a surreply. Signed by Judge Paul L. Friedman on July 1, 2014. (MA) (Entered: 07/01/2014)
07/02/2014		Set/Reset Deadlines: Response to motion for leave to file surreply due by 7/25/2014. (zmm,) (Entered: 07/02/2014)
07/25/2014	<u>40</u>	ORDER granting <u>33</u> the government's motion for leave to submit an ex parte, in camera declaration. Signed by Judge Paul L. Friedman on July 25, 2014. (MA) (Entered: 07/25/2014)
10/07/2014		MINUTE ORDER granting <u>38</u> plaintiffs' motion for leave to file a sur-reply, to which no opposition was filed. Signed by Judge Paul L. Friedman on October 7, 2014. (lcpf3) (Entered: 10/07/2014)
10/08/2014	<u>41</u>	SURREPLY to re <u>21</u> MOTION for Summary Judgment filed by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (td,) (Entered: 10/08/2014)
11/18/2014		Case randomly reassigned to Judge Randolph D. Moss. Judge Paul L. Friedman no longer assigned to the case. (gt,) (Entered: 11/18/2014)
11/18/2015		MINUTE ORDER: It is hereby ORDERED that the parties shall appear for oral argument on the parties' cross-motions for summary judgment <u>21</u> , <u>27</u> on December 7, 2015, at 2:00 p.m. in Courtroom 21. If the parties wish to submit supplemental briefing addressing any intervening caselaw since the filing of their cross-motions for summary judgment, they may submit supplemental briefs of no more than 10 pages in length, on or before December 4, 2015, at 5:00 p.m. Signed by Judge Randolph D. Moss on 11/18/2015. (lcrdm2,) (Entered: 11/18/2015)
11/19/2015		Set/Reset Deadline/Hearing: Supplemental briefs of no more than 10 pages in length, due on or before 12/4/2015. A Motion Hearing is set for 12/7/2015, at 2:00 PM, in Courtroom 21, before Judge Randolph D. Moss. (kt) (Entered: 11/19/2015)
11/23/2015		MINUTE ORDER: The parties are hereby ordered to confer and to submit to the Court the Bates-numbered documents produced to the plaintiffs in response to FOIPA Request No. 1182250-000, see Dkt. 21-3 at 29, on or before December 1, 2015. Signed by Judge Randolph D. Moss on 11/23/2015. (lcrdm2,) (Entered: 11/23/2015)
11/23/2015		Set/Reset Deadline: The parties are to confer and to submit to the Court the Bates-numbered documents produced to the plaintiffs in response to FOIPA Request No. 1182250-000, see Dkt. 21-3 at 29, on or before 12/1/2015. (kt) (Entered: 11/23/2015)
12/01/2015	<u>42</u>	NOTICE of Filing of Bates–Numbered Response to Plaintiff's FOIA Request by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Exhibit)(Adebonojo, Kenneth) (Entered: 12/01/2015)
12/04/2015	<u>43</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 12/04/2015)
12/07/2015		Minute Entry for proceedings held before Judge Randolph D. Moss: Motion Hearing held on 12/7/2015 re: <u>28</u> Cross MOTION for Summary Judgment (<i>Partial</i>) filed by TRUTHOUT, NATIONAL SECURITY COUNSELORS, JEFFREY STEIN, RYAN NOAH SHAPIRO, <u>21</u> MOTION for Summary Judgment filed by DEPARTMENT OF JUSTICE. Matter taken under advisement. (Court Reporter: Jeff Hook). (kt) (Entered: 12/07/2015)
12/08/2015	<u>44</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by JEFFREY STEIN (Attachments: # <u>1</u> Exhibit P – OGIS letter, # <u>2</u> Exhibit Q – OIP letter)(McClanahan, Kelly) (Entered: 12/08/2015)
12/08/2015	<u>45</u>	NOTICE of Clarification by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT re Motion Hearing, (McClanahan, Kelly) (Entered: 12/08/2015)
12/11/2015	<u>46</u>	RESPONSE re <u>44</u> NOTICE OF SUPPLEMENTAL AUTHORITY filed by DEPARTMENT OF JUSTICE. (Adebonojo, Kenneth) (Entered: 12/11/2015)

12/14/2015	<u>47</u>	REPLY re <u>44</u> NOTICE OF SUPPLEMENTAL AUTHORITY filed by JEFFREY STEIN. (McClanahan, Kelly) Modified on 12/15/2015 to correct linkage(zrdj). (Entered: 12/14/2015)
01/22/2016	<u>48</u>	MEMORANDUM AND OPINION: The FBI's motion for summary judgment <u>21</u> is GRANTED in part and DENIED in part. The plaintiffs' cross-motion for partial summary judgment <u>28</u> is GRANTED in part and DENIED in part. A separate Order will issue following the status conference in this matter. See Memorandum Opinion for details. Signed by Judge Randolph D. Moss on 1/22/2016. (lcrdm2,) (Entered: 01/22/2016)
01/22/2016		MINUTE ORDER: The parties shall appear for a status conference in this matter on February 3, 2016, at 2:00 p.m., in Courtroom 21. The parties shall be prepared to discuss the remaining issues identified in the Court's Memorandum Opinion <u>48</u> . A separate Order will issue following the status conference. Signed by Judge Randolph D. Moss on 1/22/2016. (lcrdm2,) (Entered: 01/22/2016)
01/27/2016		Set/Reset Hearing: A Status Conference is set for 2/3/2016, at 2:00 PM, in Courtroom 21, before Judge Randolph D. Moss. (kt) (Entered: 01/27/2016)
02/01/2016	<u>49</u>	MOTION to Continue <i>Status Conference Scheduled for February 3, 2016 at 2 p.m.</i> by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 02/01/2016)
02/02/2016		MINUTE ORDER: Defendant's motion to continue the status conference currently scheduled for February 3, 2016, is hereby GRANTED in part and DENIED in part. The status conference is hereby VACATED and RESCHEDULED for February 26, 2016, at 10:00 a.m., in Courtroom 21. Signed by Judge Randolph D. Moss on 2/2/2016. (lcrdm2,) (Entered: 02/02/2016)
02/02/2016		Set/Reset Hearing: The Status Conference set for 2/3/2016 is VACATED and RESCHEDULED for 2/26/2016, at 10:00 AM, in Courtroom 21, before Judge Randolph D. Moss. (kt) (Entered: 02/02/2016)
02/26/2016		Minute Entry for proceedings held before Judge Randolph D. Moss: Status Conference held on 2/26/2016. Order forthcoming. (Court Reporter: Jeff Hook). (kt) (Entered: 02/26/2016)
02/26/2016	<u>50</u>	ORDER: It is hereby ORDERED that the parties shall (1) meet and confer, on or before March 4, 2016, with respect to the issues raised by the Court's Memorandum Opinion <u>48</u> and any additional issues raised at the February 26, 2016 status conference; and (2) submit a joint status report to the Court setting out their positions with respect to the issues raised in the Court's Opinion and the attached Order on or before March 11, 2016. See Order for details. Signed by Judge Randolph D. Moss on 2/26/2016. (lcrdm2,) (Entered: 02/26/2016)
02/26/2016		Set/Reset Deadlines: The parties shall meet and confer, on or before 3/4/2016, and submit a joint status report to the Court on or before 3/11/2016. (kt) (Entered: 02/26/2016)
03/11/2016	<u>51</u>	Joint STATUS REPORT by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (Attachments: # <u>1</u> Declaration Hardy (Fourth))(Light, Jeffrey) (Entered: 03/11/2016)
03/29/2016	<u>52</u>	TRANSCRIPT OF PROCEEDINGS before Judge Randolph D. Moss held on December 7, 2015; Page Numbers 1 – 104; Date of Issuance: March 28, 2016; Court Reporter/Transcriber: Jeff Hook; Telephone number: 202-354-3373. Transcripts may be ordered by submitting the <u>Transcript Order Form</u> . For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at

		www.dcd.uscourts.gov. Redaction Request due 4/19/2016. Redacted Transcript Deadline set for 4/29/2016. Release of Transcript Restriction set for 6/27/2016.(Hook, Jeff) (Entered: 03/29/2016)
04/08/2016	<u>53</u>	MEMORANDUM OPINION AND ORDER: Upon consideration of the joint report <u>51</u> , the Court hereby ORDERS that (1) on or before May 10, 2016, the FBI shall produce all responsive records in this case except (a) those records the Court determined were properly withheld in its January 22, 2016 opinion, (b) those records about which the Court previously directed further briefing, and (c) those records that the FBI believes would, if released, compromise national security or sensitive, personal, private information; (2) on or before May 10, 2016, the FBI shall submit a renewed motion for summary judgment, supplemented by further evidentiary submissions, regarding those records that it intends to withhold consistent with the Court's January 22, 2016 opinion and this Order; (3) the plaintiffs may file a renewed cross-motion for summary judgment and opposition to the FBI's renewed motion for summary judgment, limited to the issues described above and the propriety of declaratory and injunctive relief, on or before June 7, 2016; (4) the FBI may file a reply in support of its renewed motion for summary judgment and opposition to the plaintiffs' cross-motion for summary judgment on or before July 5, 2016; (5) the plaintiffs may file a reply in support of their cross-motion for summary judgment on or before July 19, 2016; and (6) if the FBI seeks to stay any of the production obligations outlined in this Order, it shall file a motion to that effect on or before April 29, 2016. See Memorandum Opinion and Order for more details. Signed by Judge Randolph D. Moss on 4/8/2016. (lcrdm2,) (Main Document 53 replaced on 4/11/2016) (kt). (Entered: 04/08/2016)
04/08/2016		Set/Reset Deadlines: On or before 5/10/2016, the FBI shall produce all responsive records in this case; On or before 5/10/2016, the FBI shall submit a renewed motion for summary judgment; Plaintiffs may file a renewed cross-motion for summary judgment and opposition to the FBI's renewed motion for summary judgment, limited to the issues described above and the propriety of declaratory and injunctive relief, on or before 6/7/2016; The FBI may file a reply in support of its renewed motion for summary judgment and opposition to the plaintiffs' cross-motion for summary judgment on or before 7/5/2016; The plaintiffs may file a reply in support of their cross-motion for summary judgment on or before 7/19/2016; The FBI seeks to stay any of the production obligations outlined in this Order, it shall file a motion to that effect on or before 4/29/2016. (kt) (Entered: 04/08/2016)
04/08/2016	<u>54</u>	MOTION to Modify <i>1/22/16 Memorandum Opinion</i> by JEFFREY STEIN (Attachments: # <u>1</u> Exhibit A – Release letter, # <u>2</u> Exhibit B – Adebonojo–McClanahan email, # <u>3</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 04/08/2016)
04/09/2016		MINUTE ORDER: Plaintiffs have advised the Court that there remains a live dispute as to the extent of Plaintiff Stein's entitlement, if any, to records responsive to his third request under the relevant regulations. If the parties wish to brief this issue, they may do so in their renewed motions for summary judgment, according to the schedule set out in the Court's April 8, 2016 Opinion and Order <u>53</u> , and the Court will adjudicate it at the appropriate time. Signed by Judge Randolph D. Moss on 4/9/2016. (lcrdm2,) Modified on 4/11/2016 to correct linked document number(kt). (Entered: 04/09/2016)
05/06/2016	<u>55</u>	MOTION for Reconsideration re <u>53</u> Memorandum & Opinion,,,,,, , MOTION to Stay (<i>Defendant's Motion for Reconsideration and for a Stay following Final Judgment</i>) by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Memorandum in Support)(Adebonojo, Kenneth) (Entered: 05/06/2016)
05/09/2016		MINUTE ORDER: Upon consideration of the FBI's motion for reconsideration <u>55</u> , the Court hereby ORDERS that: (1) The May 10, 2016 deadline for the production of documents set out in the Court's April 8, 2016 Opinion is temporarily stayed with respect to those documents that would be impacted by the pending motion for reconsideration. All documents not impacted by the pending motion shall be produced on schedule. (2) The plaintiffs may file an opposition to the FBI's motion for reconsideration on or before May 13, 2016. (3) The FBI may file a reply in support of its motion for reconsideration on or before May 17, 2016. (4) The parties shall appear for a hearing on the motion for reconsideration on May 19, 2016, at 2:00 p.m., in Courtroom 21. Signed by Judge Randolph D. Moss on 5/9/2016. (lcrdm2,) (Entered: 05/09/2016)

05/09/2016		Set/Reset Deadlines/Hearings: The plaintiffs may file an opposition to the FBI's motion for reconsideration on or before 5/13/2016; The FBI may file a reply in support of its motion for reconsideration on or before 5/17/2016. A Motion Hearing is set for 5/19/2016, at 2:00 PM, in Courtroom 21, before Judge Randolph D. Moss. (kt) (Entered: 05/09/2016)
05/10/2016	<u>56</u>	MOTION for Leave to File (<i>Defendant's Motion for Leave to Submit an Ex Parte, In Camera Declaration and Memorandum in Support Thereof</i>) by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Adebonojo, Kenneth) (Entered: 05/10/2016)
05/10/2016	<u>57</u>	MOTION for Summary Judgment (<i>Renewed</i>) and Opposition to Plaintiff's Motion to Amend, ECF No. 54 by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration of David M. Hardy, Esq., # <u>4</u> Exhibit A to Declaration of David M. Hardy, Esq.)(Adebonojo, Kenneth) (Entered: 05/10/2016)
05/10/2016	<u>58</u>	MOTION for Leave to File Motion for Partial Stay or Motion to Enlarge Nunc Pro Tunc by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Exhibit A (Motion for Partial Stay))(Adebonojo, Kenneth) (Entered: 05/10/2016)
05/10/2016	59	Memorandum in opposition to re <u>54</u> MOTION to Modify 1/22/16 Memorandum Opinion filed by DEPARTMENT OF JUSTICE. (See Docket Entry <u>57</u> to view document). (znmw) (Entered: 05/11/2016)
05/11/2016		MINUTE ORDER: The FBI's motion for leave to file a motion for a partial stay <u>58</u> is hereby GRANTED. The FBI's motion for a partial stay [58-1] is deemed FILED. The plaintiffs shall file any opposition to the motion for a partial stay on or before May 17, 2016, and the parties shall be prepared to discuss the pending motion at the May 19, 2016 motion hearing. The production obligations discussed in the motion for a partial stay are hereby temporarily stayed pending further order of the Court. Signed by Judge Randolph D. Moss on 5/11/2016. (lcrdm2,) (Entered: 05/11/2016)
05/11/2016		Set/Reset Deadlines: The plaintiffs shall file any opposition to the motion for a partial stay on or before 5/17/2016. (kt) (Entered: 05/11/2016)
05/11/2016	<u>60</u>	MOTION partial Stay by DEPARTMENT OF JUSTICE (zrdj) (Entered: 05/12/2016)
05/13/2016	<u>61</u>	Memorandum in opposition to re <u>55</u> MOTION for Reconsideration re <u>53</u> Memorandum & Opinion,,,,, MOTION to Stay (<i>Defendant's Motion for Reconsideration and for a Stay following Final Judgment</i>) filed by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (Attachments: # <u>1</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 05/13/2016)
05/13/2016	<u>62</u>	Memorandum in opposition to re <u>60</u> MOTION to Stay filed by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (Attachments: # <u>1</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 05/13/2016)
05/17/2016	<u>63</u>	REPLY to opposition to motion re <u>55</u> MOTION for Reconsideration re <u>53</u> Memorandum & Opinion,,,,, MOTION to Stay (<i>Defendant's Motion for Reconsideration and for a Stay following Final Judgment</i>) filed by DEPARTMENT OF JUSTICE. (Adebonojo, Kenneth) (Entered: 05/17/2016)
05/19/2016		MINUTE ORDER: For the reasons stated on the record during the May 19, 2016 motion hearing, the FBI's motion for leave to file an ex parte, in camera declaration <u>56</u> is hereby GRANTED. Signed by Judge Randolph D. Moss on 5/19/2016. (lcrdm2,) (Entered: 05/19/2016)
05/19/2016		Minute Entry for proceedings held before Judge Randolph D. Moss: Motion Hearing held on 5/19/2016 re <u>55</u> MOTION for Reconsideration, <u>56</u> MOTION for Leave to File Defendant's Motion for Leave to Submit an Ex Parte, In Camera Declaration and Memorandum in Support Thereof filed by DEPARTMENT OF JUSTICE, and <u>60</u> MOTION to Stay filed by DEPARTMENT OF JUSTICE. <u>56</u> MOTION for Leave to File Defendant's Motion for Leave to Submit an Ex Parte, In Camera Declaration and Memorandum in Support Thereof filed by DEPARTMENT OF JUSTICE is hereby GRANTED. Motions <u>55</u> and <u>60</u> are taken under advisement. (Court Reporter Bryan

		Wayne.) (zsm) Modified on 5/20/2016 (zsm). (Entered: 05/20/2016)
05/20/2016	<u>64</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Light, Jeffrey) (Entered: 05/20/2016)
05/25/2016	<u>65</u>	MEMORANDUM OPINION AND ORDER: For the reasons stated in this Memorandum Opinion, the Court hereby ORDERS that: (1) The FBI's motion for reconsideration <u>55</u> is hereby GRANTED in part and DENIED in part. (2) The FBI's motion for a partial stay <u>60</u> is hereby GRANTED in part and DENIED in part. The FBI's obligation to produce the case evaluation forms to the plaintiffs is hereby STAYED through and until July 25, 2016, or, if the FBI files a notice of appeal by that date, pending appeal. (3) If the FBI does not file a notice of appeal by July 25, 2016, it shall produce the case evaluation forms to the plaintiffs on or before that date. (4) The FBI shall produce the records to plaintiff Shapiro that would otherwise only be impacted by the FBI's late assertion of the Exemption 5 deliberative-process privilege on or before July 25, 2016. If the FBI files a notice of appeal as to this specific production obligation, the order set out in this paragraph is stayed pending appeal. (5) The briefing schedule entered on April 8, 2016, remains in place. See document for details. Signed by Judge Randolph D. Moss on 5/25/2016. (lcrdm2,) (Entered: 05/25/2016)
06/06/2016	<u>66</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>57</u> MOTION for Summary Judgment (<i>Renewed</i>) and Opposition to Plaintiff's Motion to Amend, ECF No. 54 by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 06/06/2016)
06/06/2016		MINUTE ORDER: Plaintiffs' motion for an extension of time <u>66</u> is hereby GRANTED. Plaintiffs shall file their opposition to the FBI's renewed motion for summary judgment and their renewed cross-motion for summary judgment on or before July 15, 2016. The FBI shall file its reply in support of its renewed motion for summary judgment and opposition to Plaintiffs' renewed cross-motion for summary judgment on or before August 12, 2016. Plaintiffs shall file any reply in support of their renewed cross-motion for summary judgment on or before August 26, 2016. Signed by Judge Randolph D. Moss on 6/6/2016. (lcrdm2,) (Entered: 06/06/2016)
06/07/2016		Set/Reset Deadlines: Plaintiffs shall file their opposition to the FBI's renewed motion for summary judgment and their renewed cross-motion for summary judgment on or before 7/15/2016; The FBI shall file its reply in support of its renewed motion for summary judgment and opposition to Plaintiffs' renewed cross-motion for summary judgment on or before 8/12/2016; Plaintiffs shall file any reply in support of their renewed cross-motion for summary judgment on or before 8/26/2016. (kt) (Entered: 06/07/2016)
07/15/2016	<u>67</u>	Memorandum in opposition to re <u>57</u> MOTION for Summary Judgment (<i>Renewed</i>) and Opposition to Plaintiff's Motion to Amend, ECF No. 54 filed by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Statement of Facts, # <u>3</u> Exhibit 1-9, # <u>4</u> Exhibit 10, # <u>5</u> Declaration Ryan Noah Shapiro)(Light, Jeffrey) (Entered: 07/15/2016)
07/16/2016	<u>68</u>	Cross MOTION for Summary Judgment by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Text of Proposed Order, # <u>3</u> Exhibit 1-9, # <u>4</u> Exhibit 10, # <u>5</u> Declaration Ryan Noah Shapiro)(Light, Jeffrey) (Entered: 07/16/2016)
07/22/2016	<u>69</u>	NOTICE OF APPEAL TO DC CIRCUIT COURT as to <u>53</u> Memorandum & Opinion,,,,, <u>65</u> Memorandum & Opinion,,, <u>48</u> Memorandum & Opinion, by DEPARTMENT OF JUSTICE. Fee Status: No Fee Paid. Parties have been notified. (Adebonojo, Kenneth) (Entered: 07/22/2016)
07/25/2016	<u>70</u>	Transmission of the Notice of Appeal, OrderAppealed, and Docket Sheet to US Court of Appeals. The Court of Appeals docketing fee was not paid because the fee was an Appeal by the Government re <u>69</u> Notice of Appeal to DC Circuit Court. (zrdj) (Entered: 07/25/2016)

08/03/2016		USCA Case Number 16-5226 for <u>69</u> Notice of Appeal to DC Circuit Court filed by DEPARTMENT OF JUSTICE. (zrdj) (Entered: 08/03/2016)
08/11/2016	<u>71</u>	Consent MOTION for Extension of Time to <i>File Defendant's Opposition to Plaintiffs' Cross Motion for Summary Judgment and Reply to Plaintiffs' Opposition to Defendant's Renewed Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 08/11/2016)
08/12/2016		MINUTE ORDER: Upon consideration of defendant's consent motion for an extension of time <u>71</u> , the motion is hereby GRANTED, and it is further ORDERED that defendant shall file its opposition to plaintiffs' cross-motion for summary judgment and reply to plaintiffs' opposition to defendant's renewed motion for summary judgment on or before September 13, 2016, and that plaintiffs may file their responsive pleading on or before September 30, 2016. Signed by Judge Randolph D. Moss on 8/12/2016. (lcrdm2,) (Entered: 08/12/2016)
08/12/2016		Set/Reset Deadlines: Defendant shall file its opposition to plaintiffs' cross-motion for summary judgment and reply to plaintiffs' opposition to defendant's renewed motion for summary judgment on or before 9/13/2016, and that plaintiffs may file their responsive pleading on or before 9/30/2016. (kt) (Entered: 08/12/2016)
09/12/2016	<u>72</u>	Final MOTION for Extension of Time to <i>File Defendant's Opposition to Plaintiffs' Cross-Motion for Summary Judgment and Reply to Plaintiffs' Opposition to Defendant's Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 09/12/2016)
09/13/2016		MINUTE ORDER: Upon consideration of the defendant's motion for an extension of time <u>72</u> , the motion is GRANTED, and defendant may file its opposition to plaintiff's cross-motion for summary judgment and reply to plaintiff's opposition to defendant's motion for summary judgment on or before September 20, 2016. Signed by Judge Randolph D. Moss on 9/13/2016. (lcrdm2,) (Entered: 09/13/2016)
09/13/2016		Set/Reset Deadlines: Defendant may file its opposition to plaintiff's cross-motion for summary judgment and reply to plaintiff's opposition to defendant's motion for summary judgment on or before 9/20/2016. (kt) (Entered: 09/13/2016)
09/20/2016	<u>73</u>	MOTION for Extension of Time to <i>(FOR ONE DAY) File a Reply to Plaintiffs' Opposition to Defendant's Motion for Summary Judgment and Opposition to Plaintiffs' Cross Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 09/20/2016)
09/21/2016		MINUTE ORDER: Upon consideration of the defendant's motion for an extension of time <u>73</u> , the motion is GRANTED, and defendant may file its opposition to plaintiff's cross-motion for summary judgment and reply to plaintiff's opposition to defendant's motion for summary judgment on or before September 21, 2016. Signed by Judge Randolph D. Moss on 9/20/2016. (lcrdm2,) (Entered: 09/21/2016)
09/21/2016		Set/Reset Deadlines: Defendant may file its opposition to plaintiff's cross-motion for summary judgment and reply to plaintiff's opposition to defendant's motion for summary judgment on or before 9/21/2016. (kt) (Entered: 09/21/2016)
09/21/2016	<u>74</u>	Memorandum in opposition to re <u>68</u> Cross MOTION for Summary Judgment filed by DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Statement of Facts (counter), # <u>2</u> Declaration Exhibit A)(Adebonojo, Kenneth) (Entered: 09/21/2016)
09/21/2016	<u>75</u>	MOTION for Leave to File <i>Ex Parte In Camera Eighth Declaration of David M. Hardy</i> by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Exhibit A)(Adebonojo, Kenneth) (Entered: 09/21/2016)
09/22/2016	<u>76</u>	REPLY to opposition to motion re <u>68</u> Cross MOTION for Summary Judgment filed by DEPARTMENT OF JUSTICE. (Adebonojo, Kenneth) (Entered: 09/22/2016)
09/30/2016	<u>77</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>68</u> Cross MOTION for Summary Judgment by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 09/30/2016)

10/03/2016		MINUTE ORDER: Upon consideration of plaintiffs' consent motion for an extension of time, the motion is GRANTED, and it is ORDERED that plaintiffs may file their reply in support of their cross-motion for summary judgment on or before October 10, 2016. Signed by Judge Randolph D. Moss on 10/3/2016. (lcrdm2,) (Entered: 10/03/2016)
10/03/2016		Set/Reset Deadlines: Plaintiffs may file their reply in support of their cross-motion for summary judgment on or before 10/10/2016. (kt) (Entered: 10/03/2016)
10/11/2016	<u>78</u>	MOTION for Extension of Time to File Response/Reply as to <u>68</u> Cross MOTION for Summary Judgment by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 10/11/2016)
10/11/2016	<u>79</u>	Memorandum in opposition to re <u>75</u> MOTION for Leave to File <i>Ex Parte In Camera Eighth Declaration of David M. Hardy</i> filed by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 10/12/2016)
10/12/2016	<u>80</u>	Cross MOTION to Strike <u>31</u> Reply to opposition to Motion, <u>75</u> MOTION for Leave to File <i>Ex Parte In Camera Eighth Declaration of David M. Hardy</i> , <u>57</u> MOTION for Summary Judgment (<i>Renewed</i>) and Opposition to Plaintiff's Motion to Amend, ECF No. 54 or Make Public Portions of the Third, Sixth, and Eighth Hardy Declarations by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 10/12/2016)
10/12/2016		MINUTE ORDER: Upon consideration of plaintiff's motion for an extension of time <u>78</u> , the motion is GRANTED, and it is ORDERED that plaintiffs may file a reply in support of their cross-motion for summary judgment on or before October 18, 2016. Signed by Judge Randolph D. Moss on 10/12/2016. (lcrdm2,) (Entered: 10/12/2016)
10/12/2016		MINUTE ORDER: Upon consideration of plaintiffs' cross-motion to strike <u>80</u> , the motion is DENIED without prejudice for failure to comply with the meet and confer requirement set forth in LCvR 7(m). Plaintiffs assert that opposing counsel could not be reached to obtain a position and that they assume that counsel for the Department of Justice will oppose the motion. They fail to explain, however, what efforts they made to attempt to contact opposing counsel. Efforts to contact opposing counsel on the day of a filing, for example, are not sufficient except in extraordinary circumstances. Nor is it sufficient for Plaintiffs' to speculate that opposing counsel will categorically oppose the relief requested. The point of the rule is require that the moving party make a good faith effort at resolving or narrowing issues before bringing them to the Court. After doing so, Plaintiffs may renew their motion. Signed by Judge Randolph D. Moss on 10/12/2016. (lcrdm2,) (Entered: 10/12/2016)
10/12/2016		Set/Reset Deadlines: Plaintiffs may file a reply in support of their cross-motion for summary judgment on or before 10/18/2016. (kt) (Entered: 10/12/2016)
10/12/2016	<u>81</u>	Cross MOTION to Strike <u>31</u> Reply to opposition to Motion, <u>75</u> MOTION for Leave to File <i>Ex Parte In Camera Eighth Declaration of David M. Hardy</i> , <u>57</u> MOTION for Summary Judgment (<i>Renewed</i>) and Opposition to Plaintiff's Motion to Amend, ECF No. 54 or Make Public Portions of the 3rd, 6th, and 8th Hardy Declarations by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 10/12/2016)
10/18/2016	<u>82</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>68</u> Cross MOTION for Summary Judgment by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 10/18/2016)
10/21/2016		MINUTE ORDER: Upon consideration of plaintiffs' motion for an extension of time, the motion is GRANTED, and plaintiffs may file a reply in support of their cross-motion for summary judgment on or before October 25, 2016. Signed by Judge Randolph D. Moss on 10/21/2016. (lcrdm2,) (Entered: 10/21/2016)
10/21/2016		Set/Reset Deadlines: Plaintiffs may file a reply in support of their cross-motion for summary judgment on or before 10/25/2016. (kt) (Entered: 10/21/2016)

10/21/2016	<u>83</u>	Consent MOTION for Extension of Time to <i>File a Reply to Plaintiffs' Opposition to Defendant's Motion for Leave to File in Camera and Opposition to Plaintiffs' Cross Motion to Strike</i> by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 10/21/2016)
10/25/2016		MINUTE ORDER: Upon consideration of the consent motion for an extension of time, the motion is GRANTED, and defendants may file their opposition and reply on or before November 15, 2016. Signed by Judge Randolph D. Moss on 10/25/2016. (lcrdm2,) (Entered: 10/25/2016)
10/25/2016		Set/Reset Deadlines: Defendants may file their opposition and reply on or before 11/15/2016. (kt) (Entered: 10/25/2016)
10/25/2016	<u>84</u>	REPLY to opposition to motion re <u>68</u> Cross MOTION for Summary Judgment filed by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (Attachments: # <u>1</u> Exhibit 1 – Inconsistent withholding of case numbers, # <u>2</u> Exhibit 2 – Discontinuation of 266A–G, # <u>3</u> Exhibit 3 – SHAC prior case number disclosures, # <u>4</u> Exhibit 4 – Parme prior case number disclosures, # <u>5</u> Appendix A – List of previously disclosed case numbers, # <u>6</u> Appendix B – List of inconsistently withheld case numbers)(Light, Jeffrey) (Entered: 10/26/2016)
10/26/2016	<u>85</u>	ERRATA by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT <u>84</u> Reply to opposition to Motion,, filed by TRUTHOUT, NATIONAL SECURITY COUNSELORS, JEFFREY STEIN, RYAN NOAH SHAPIRO. (Attachments: # <u>1</u> Exhibit Parme prior case number disclosures)(Light, Jeffrey) (Entered: 10/26/2016)
11/15/2016	<u>86</u>	Memorandum in opposition to re <u>81</u> Cross MOTION to Strike <u>31</u> Reply to opposition to Motion, <u>75</u> MOTION for Leave to File to <i>File Ex Parte In Camera Eighth Declaration of David M. Hardy</i> , <u>57</u> MOTION for Summary Judgment (<i>Renewed</i>) and <i>Opposition to Plaintiff's Mo</i> filed by DEPARTMENT OF JUSTICE. (Adebonojo, Kenneth) (Entered: 11/15/2016)
11/16/2016	<u>87</u>	REPLY to opposition to motion re <u>75</u> MOTION for Leave to File to <i>File Ex Parte In Camera Eighth Declaration of David M. Hardy</i> filed by DEPARTMENT OF JUSTICE. (Adebonojo, Kenneth) (Entered: 11/16/2016)
11/28/2016	<u>88</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>81</u> Cross MOTION to Strike <u>31</u> Reply to opposition to Motion, <u>75</u> MOTION for Leave to File to <i>File Ex Parte In Camera Eighth Declaration of David M. Hardy</i> , <u>57</u> MOTION for Summary Judgment (<i>Renewed</i>) and <i>Opposition to Plaintiff's Mo</i> by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 11/28/2016)
11/28/2016		MINUTE ORDER: Upon consideration of the consent motion for an extension of time <u>88</u> , the motion is GRANTED, and it is ORDERED that plaintiffs may file a reply in support of their cross-motion for partial summary judgment on or before November 30, 2016. Signed by Judge Randolph D. Moss on 11/28/2016. (lcrdm2,) (Entered: 11/28/2016)
11/29/2016		Set/Reset Deadlines: Plaintiffs may file a reply in support of their cross–motion for partial summary judgment on or before 11/30/2016. (kt) (Entered: 11/29/2016)
11/30/2016	<u>89</u>	REPLY to opposition to motion re <u>81</u> Cross MOTION to Strike <u>31</u> Reply to opposition to Motion, <u>75</u> MOTION for Leave to File to <i>File Ex Parte In Camera Eighth Declaration of David M. Hardy</i> , <u>57</u> MOTION for Summary Judgment (<i>Renewed</i>) and <i>Opposition to Plaintiff's Mo</i> filed by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (McClanahan, Kelly) (Entered: 11/30/2016)
12/02/2016	<u>90</u>	NOTICE re <u>56</u> of <i>Filing of Inadvertently Omitted Exhibit A to ECF No. 56</i> by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Exhibit A)(Adebonojo, Kenneth) Modified to add link on 12/5/2016 (znmw). (Entered: 12/02/2016)
12/21/2016	<u>91</u>	ORDER of USCA ORDERED that the motion to hold in abeyance be granted and thatthis case be held in abeyance pending further order of the court. USCA Case Number 16–5226. (zrdj) (Entered: 01/23/2017)

03/06/2017	<u>92</u>	MEMORANDUM OPINION AND ORDER: The FBI's motion for leave to file Hardy's eighth declaration ex parte and in camera <u>75</u> is hereby GRANTED; Plaintiffs' motion to strike the eighth Hardy declaration and to make public portions of the third and sixth Hardy declarations <u>81</u> is hereby DENIED. The FBI's motion for summary judgment <u>57</u> is hereby GRANTED as to the application of Exemption 7(E) to the search processing records relating to the forty-two parent FOIA requests for which Shapiro received No Records responses; as to the application of FOIA Exemption 1; and as to the application of Exemption 5 to the McGehee litigation documents, and to the Zubaydah documents to the extent that they reflect deliberations about the FBI's litigation strategy and defense; and the motion is otherwise DENIED. Plaintiffs' cross-motion for summary judgment <u>68</u> is hereby GRANTED as to the application of Exemption 7(A) to records relating to the murder of Dr. Hyram Kitchen, and the motion is otherwise DENIED. See attached document for details. Signed by Judge Randolph D. Moss on 3/6/2017. (lcrdm2,) (Entered: 03/06/2017)
03/06/2017		MINUTE ORDER: The parties are hereby ORDERED to appear for a status conference at 10:00 a.m. on April 5, 2017, in Courtroom 21. Signed by Judge Randolph D. Moss on 3/6/2017. (lcrdm2,) (Entered: 03/06/2017)
03/07/2017		Set/Reset Hearings: A Status Conference is set for 4/5/2017, at 10:00 AM, in Courtroom 21, before Judge Randolph D. Moss. (kt) (Entered: 03/07/2017)
04/05/2017		Minute Entry for proceedings held before Judge Randolph D. Moss: Status Conference held on 4/5/2017. Order forthcoming. (Court Reporter: Jeff Hook). (kt) (Entered: 04/05/2017)
05/05/2017	<u>93</u>	NOTICE of Submission of Document (File No. 1146761) for In Camera Review by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 05/05/2017)
07/31/2017		MINUTE ORDER: The parties are hereby ORDERED to file a joint status report on or before August 14, 2017, advising the Court on the progress of this litigation. Signed by Judge Randolph D. Moss on 7/31/2017. (lcrdm2,) (Entered: 07/31/2017)
07/31/2017		Set/Reset Deadlines: Joint Status Report on the progress of this litigation due by 8/14/2017. (dot) (Entered: 08/01/2017)
08/14/2017	<u>94</u>	Joint STATUS REPORT Proposing a Briefing Schedule by DEPARTMENT OF JUSTICE. (Adebonojo, Kenneth) (Entered: 08/14/2017)
08/15/2017		MINUTE ORDER: Upon consideration of the parties' Joint Status Report Proposing a Briefing Schedule <u>94</u> , it is hereby ORDERED that the parties' proposed briefing schedule shall govern future proceedings in this matter. Defendant shall file a motion for summary judgment on or before September 22, 2017; Plaintiffs shall file an opposition and, if appropriate, cross-motion for summary judgment on or before October 30, 2017; Defendant shall file a reply and opposition on or before November 17, 2017; and Plaintiffs shall file a reply on or before December 11, 2017. Signed by Judge Randolph D. Moss on 8/15/2017. (lcrdm2,) (Entered: 08/15/2017)
08/15/2017		Set/Reset Deadlines: Defendant's motion for summary judgment due on or before 9/22/2017; Plaintiff's opposition and, if appropriate, cross-motion for summary judgment due on or before 10/30/2017; Defendant's reply and opposition due on or before 11/17/2017; Plaintiff's reply due on or before 12/11/2017. (kt) (Entered: 08/15/2017)
09/21/2017	<u>95</u>	Consent MOTION for Extension of Time to File Defendant's Motion for Summary Judgment by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 09/21/2017)
09/24/2017		MINUTE ORDER: Upon consideration of Defendant's unopposed Motion To Enlarge Time To File <u>95</u> , the motion is hereby GRANTED. The following schedule shall govern further proceedings in this matter: Defendant shall file a motion for summary judgment on or before October 13, 2017; Plaintiffs shall file an opposition and, if appropriate, cross-motion for summary judgment on or before November 20, 2017; Defendant shall file a reply and opposition on or before December 6, 2017; and Plaintiffs shall file a reply on or before December 29, 2017. Signed by Judge Randolph D. Moss on 9/24/2017. (lcrdm2,) (Entered: 09/24/2017)

09/25/2017		Set/Reset Deadlines: Defendant shall file a motion for summary judgment on or before 10/13/2017; Plaintiffs shall file an opposition and, if appropriate, cross-motion for summary judgment on or before 11/20/2017; Defendant shall file a reply and opposition on or before 12/6/2017; Plaintiffs shall file a reply on or before 12/29/2017. (kt) (Entered: 09/25/2017)
10/13/2017	<u>96</u>	Consent MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 10/13/2017)
10/15/2017		MINUTE ORDER: Upon consideration of Defendant's Motion To Enlarge Time To File <u>96</u> , the motion is hereby GRANTED. The following schedule shall govern future proceedings in this matter: Defendant shall file a motion for summary judgment on or before October 20, 2017; Plaintiffs shall file an opposition and, if appropriate, cross-motion for summary judgment on or before November 27, 2017; Defendant shall file a reply and opposition on or before December 13, 2017; and Plaintiffs shall file a reply on or before January 5, 2018. Signed by Judge Randolph D. Moss on 10/15/2017. (lcrdm2,) (Entered: 10/15/2017)
10/16/2017		Set/Reset Deadlines: Defendant shall file a motion for summary judgment on or before 10/20/2017; Plaintiffs shall file an opposition and, if appropriate, cross-motion for summary judgment on or before 11/27/2017; Defendant shall file a reply and opposition on or before 12/13/2017; Plaintiffs shall file a reply on or before 1/5/2018. (kt) (Entered: 10/16/2017)
10/20/2017	<u>97</u>	MOTION for Summary Judgment by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration of David M. Hardy, Esq.)(Adebonojo, Kenneth) (Entered: 10/20/2017)
11/27/2017	<u>98</u>	Memorandum in opposition to re <u>97</u> MOTION for Summary Judgment filed by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (Attachments: # <u>1</u> Exhibit 1 – Released file numbers, # <u>2</u> Exhibit 2 – Kitchen records, # <u>3</u> Exhibit 3 – SHAC records, # <u>4</u> Exhibit 4 – Parme records, # <u>5</u> Exhibit 5 – Truthout Complaint, # <u>6</u> Exhibit 6 – Truthout release, # <u>7</u> Exhibit 7 – Stein release, # <u>8</u> Exhibit 8 – PIO routing slips, # <u>9</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 11/28/2017)
11/28/2017	<u>99</u>	Cross MOTION for Summary Judgment by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Exhibit 1 – Released file numbers, # <u>2</u> Exhibit 2 – Kitchen records, # <u>3</u> Exhibit 3 – SHAC records, # <u>4</u> Exhibit 4 – Parme records, # <u>5</u> Exhibit 5 – Truthout Complaint, # <u>6</u> Exhibit 6 – Truthout release, # <u>7</u> Exhibit 7 – Stein release, # <u>8</u> Exhibit 8 – PIO routing slips, # <u>9</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 11/28/2017)
12/13/2017	<u>100</u>	MOTION for Extension of Time to <i>file Defendant's Opposition to Plaintiffs' Cross Motion for Summary Judgment and Reply to Plaintiffs' Oppostion to Defendant's Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 12/13/2017)
12/14/2017		MINUTE ORDER: Upon consideration of Defendant's consent motion for extension <u>100</u> , the motion is hereby GRANTED. It is hereby ORDERED that Defendant shall file its opposition and reply on or before January 10, 2018, and Plaintiffs shall file their Reply on or before January 31, 2018. Signed by Judge Randolph D. Moss on 12/14/2017. (lcrdm2,) (Entered: 12/14/2017)
12/14/2017	<u>101</u>	Memorandum in opposition to re <u>100</u> MOTION for Extension of Time to <i>file Defendant's Opposition to Plaintiffs' Cross Motion for Summary Judgment and Reply to Plaintiffs' Oppostion to Defendant's Motion for Summary Judgment</i> filed by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (Attachments: # <u>1</u> Exhibit A – Light–Adebonojo email, # <u>2</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 12/14/2017)
12/14/2017		Set/Reset Deadlines: Defendant shall file its opposition and reply on or before 1/10/2018; Plaintiffs shall file their Reply on or before 1/31/2018. (kt) (Entered: 12/14/2017)

12/14/2017		MINUTE ORDER: The Court has considered the brief in opposition filed by Plaintiffs and concludes, notwithstanding the arguments they have made, that an extension is warranted. If Plaintiffs wish to be heard on the production of records, they may jointly contact the courtroom deputy along with counsel for Defendant to schedule a status conference. Signed by Judge Randolph D. Moss on 12/14/2017. (lcrdm2,) (Entered: 12/14/2017)
12/27/2017	<u>102</u>	MANDATE of USCA as to <u>69</u> Notice of Appeal to DC Circuit Court filed by DEPARTMENT OF JUSTICE ; USCA Case Number 16-5226. (Attachments: # <u>1</u> USCA Order)(td) (Entered: 12/29/2017)
01/10/2018	<u>103</u>	Consent MOTION for Extension of Time to <i>FILE DEFENDANTS OPPOSITION TO PLAINTIFFS CROSS MOTION FOR SUMMARY JUDGMENT AND REPLY TO PLAINTIFFS OPPOSITION TO DEFENDANTS MOTION FOR SUMMARY JUDGMENT</i> by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 01/10/2018)
01/11/2018		MINUTE ORDER: Upon consideration of Defendant's consent motion for extension <u>103</u> , the motion is hereby GRANTED. It is hereby ORDERED that Defendant shall file its combined opposition and reply on or before January 11, 2018, and Plaintiffs shall file their reply on or before February 1, 2018. Signed by Judge Randolph D. Moss on 1/11/2018. (lcrdm2,) (Entered: 01/11/2018)
01/11/2018		Set/Reset Deadlines: Defendant shall file its combined opposition and reply on or before 1/11/2018; Plaintiffs shall file their reply on or before 2/1/2018. (kt) (Entered: 01/11/2018)
01/11/2018	<u>104</u>	REPLY to opposition to motion re <u>97</u> MOTION for Summary Judgment filed by DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Exhibit 1)(Adebonojo, Kenneth) (Entered: 01/11/2018)
01/11/2018	105	Memorandum in opposition to re <u>99</u> Cross MOTION for Summary Judgment filed by DEPARTMENT OF JUSTICE. (See Docket Entry <u>104</u> to view document). (znmw) (Entered: 01/12/2018)
01/12/2018	<u>106</u>	<i>NOTICE of Filing of Searchable Exhibit and Response to Plaintiffs' Statement of Facts</i> by DEPARTMENT OF JUSTICE re 105 Memorandum in Opposition, <u>104</u> Reply to opposition to Motion (Attachments: # <u>1</u> Exhibit.....STRICKEN IN PART PURSUANT TO MINUTE ORDER FILED 1/30/2018, # <u>2</u> Statement of Facts (Response))(Adebonojo, Kenneth) Modified on 1/31/2018 (znmw). (Entered: 01/12/2018)
01/30/2018	<u>107</u>	MOTION to Strike <u>106</u> Notice (Other), <i>Seidel Declaration</i> by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 01/30/2018)
01/30/2018	<u>108</u>	MOTION to Stay re <u>99</u> Cross MOTION for Summary Judgment by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 01/30/2018)
01/30/2018		MINUTE ORDER: Plaintiffs have filed a motion to strike the Seidel Declaration "on the grounds that it contains numerous inadmissible legal arguments." Dkt. <u>107</u> at 1. Plaintiffs offer three examples of such impermissible legal arguments. Id. at 2. To the extent that the Seidel Declaration, Dkt. [106-1] contains implicit legal arguments, the Court will not give any weight to such conclusions of law. The Court will, however, consider the factual assertions contained in the Seidel Declaration. Accordingly, the motion to strike, Dkt. <u>107</u> , is hereby GRANTED in part and DENIED in part. In light of this ruling, Plaintiffs' motion to stay briefing <u>108</u> is hereby DENIED as moot. Signed by Judge Randolph D. Moss on 1/30/2018. (lcrdm2,) (Entered: 01/30/2018)
01/31/2018	<u>109</u>	REPLY to opposition to motion re <u>99</u> Cross MOTION for Summary Judgment filed by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (Attachments: # <u>1</u> Exhibit 1-4)(Light, Jeffrey) (Entered: 01/31/2018)

02/01/2018	<u>110</u>	NOTICE of filing of text-searchable exhibits by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT re <u>109</u> Reply to opposition to Motion (Attachments: # <u>1</u> Exhibit 1–4)(Light, Jeffrey) (Entered: 02/01/2018)
07/03/2018	<u>111</u>	MOTION for Hearing by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 07/03/2018)
07/03/2018		MINUTE ORDER: Plaintiffs' motion for status conference <u>111</u> is hereby GRANTED. The parties are hereby ORDERED to appear for a status conference on July 11, 2018, at 10:15 a.m. in Courtroom 21. Signed by Judge Randolph D. Moss on 7/3/2018. (lcrdm2,) (Entered: 07/03/2018)
07/03/2018		Set/Reset Hearings: Status Conference set for 7/11/2018 at 10:15 AM in Courtroom 21 before Judge Randolph D. Moss. (dot) (Entered: 07/05/2018)
07/05/2018	<u>112</u>	Consent MOTION to Continue by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 07/05/2018)
07/05/2018		MINUTE ORDER: Defendant's consent motion to continue <u>112</u> is hereby GRANTED. The status conference scheduled for July 11, 2018, is hereby CONTINUED to August 1, 2018, at 10:00 a.m. in Courtroom 21. Signed by Judge Randolph D. Moss on 7/5/2018. (lcrdm2,) (Entered: 07/05/2018)
07/05/2018		Set/Reset Hearings: The Status Conference set for 7/11/2018 is VACATED and RESCHEDULED to 8/1/2018, at 10:00 AM, in Courtroom 21, before Judge Randolph D. Moss. (kt) (Entered: 07/05/2018)
08/01/2018		Minute Entry for proceedings held before Judge Randolph D. Moss: Status Conference held on 8/1/2018. The parties shall meet and confer, then submit a Proposed Scheduling Order or Joint Status Report on or before 8/10/2018. (Court Reporter: Jeff Hook.) (kt) (Entered: 08/01/2018)
08/10/2018	<u>113</u>	Joint STATUS REPORT by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (McClanahan, Kelly) (Entered: 08/10/2018)
08/13/2018		MINUTE ORDER: In light of the parties' representations in the joint status report, Dkt. <u>113</u> , it is hereby ORDERED that the following schedule shall govern briefing on the parties' cross-motions for partial summary judgment and motion for an injunction: Defendants shall file their motion for partial summary judgment on November 2, 2018; Plaintiffs shall file their response and cross-motion for an injunction on or before December 7, 2018; Defendants shall file their reply in support of their motion for partial summary judgment and opposition to Plaintiffs' motion for an injunction on or before January 11, 2019; and Plaintiffs shall file their reply in support of their motion for an injunction on or before February 1, 2019. It is further ORDERED that the following schedule shall govern briefing on Plaintiffs' motion for sanctions: Plaintiffs' motion for sanctions is due on or before October 19, 2018; Defendants shall file an opposition on or before November 16, 2018; and Plaintiffs shall file their reply on or before December 7, 2018. Signed by Judge Randolph D. Moss on 8/13/2018. (lcrdm2,) (Entered: 08/13/2018)
08/13/2018		Set/Reset Deadlines: Defendant's motion for partial summary judgment due 11/2/2018; Plaintiffs' response and cross-motion for an injunction due on or before 12/7/2018; Defendant's reply in support of their motion for partial summary judgment and opposition to Plaintiffs' motion for an injunction due on or before 1/11/2019; Plaintiffs' reply in support of their motion for an injunction due on or before 2/1/2019; Plaintiffs' motion for sanctions due on or before 10/19/2018; Defendant's opposition due on or before 11/16/2018; Plaintiffs' reply due on or before 12/7/2018. (kt) (Entered: 08/13/2018)
10/19/2018	<u>114</u>	MOTION for Sanctions by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN (Attachments: # <u>1</u> Exhibit A – Abeyance Motion, # <u>2</u> Exhibit B – Opposition to summary affirmance, # <u>3</u> Exhibit C – 2d Abeyance Motion, # <u>4</u> Exhibit D – 3d Abeyance Motion, # <u>5</u> Exhibit E – Opposition to sanctions, # <u>6</u> Exhibit F – FOIA request, # <u>7</u> Exhibit G – FOIA response, # <u>8</u> Exhibit H – OSG decision, # <u>9</u> Exhibit I – Other OSG decisions, # <u>10</u> Exhibit J – NSC v. CIA transcript,

		# 11 Text of Proposed Order)(McClanahan, Kelly) (Entered: 10/19/2018)
11/02/2018	115	MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment and Related Briefing</i> by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 11/02/2018)
11/03/2018	116	RESPONSE re 115 MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment and Related Briefing</i> filed by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (McClanahan, Kelly) (Entered: 11/03/2018)
11/05/2018		MINUTE ORDER: Upon consideration of Defendants' motion for an extension of time to file, Dkt. 115, and Plaintiffs' response, Dkt. 116, it is hereby ORDERED that the motion is GRANTED. Defendants shall file their motion for partial summary judgment on or before December 4, 2018. It is further ORDERED that Plaintiffs shall file a response and cross-motion for an injunction on or before January 25, 2019; Defendants shall file a combined opposition to Plaintiffs' motion and reply brief in support of their own motion on or before February 25, 2019; and Plaintiffs shall file a reply brief in support of their motion for an injunction on or before March 11, 2019. The briefing schedule regarding Plaintiffs' motion for sanctions remains unchanged. Signed by Judge Randolph D. Moss on 11/5/2018. (lcrdm2,) (Entered: 11/05/2018)
11/05/2018		Set/Reset Deadlines: Plaintiffs' Cross Motion due by 1/25/2019. Response to Cross Motion due by 2/25/2019. Reply to Cross Motion due by 3/11/2019. Defendant's Partial Summary Judgment Motion due by 12/4/2018. Response to Motion for Summary Judgment due by 1/25/2019. Reply to Motion for Summary Judgment due by 2/25/2019. (dot) (Entered: 11/07/2018)
11/15/2018	117	Memorandum in opposition to re 114 MOTION for Sanctions filed by DEPARTMENT OF JUSTICE. (Adebonojo, Kenneth) (Entered: 11/15/2018)
12/04/2018	118	MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) Modified on 12/7/2018 (ztd). (Entered: 12/04/2018)
12/05/2018		MINUTE ORDER: Upon consideration of Defendants' motion for an extension of time to file, Dkt. 118, it is hereby ORDERED that the motion is GRANTED. Defendants shall file their motion for partial summary judgment on or before December 11, 2018. It is further ORDERED that Plaintiffs shall file a response and cross-motion for an injunction on or before February 1, 2019; Defendants shall file a combined opposition to Plaintiffs' motion and reply brief in support of their own motion on or before March 3, 2019; and Plaintiffs shall file a reply brief in support of their motion for an injunction on or before March 18, 2019. The briefing schedule regarding Plaintiffs' motion for sanctions remains unchanged. Signed by Judge Randolph D. Moss on 12/5/2018. (lcrdm2,) (Entered: 12/05/2018)
12/06/2018		Set/Reset Deadlines: Plaintiffs shall file a response and cross-motion for an injunction on or before 2/1/2019; Defendants shall file a combined opposition to Plaintiffs' motion and reply brief in support of their own motion on or before 3/3/2019; Plaintiffs shall file a reply brief in support of their motion for an injunction on or before 3/18/2019. (kt) (Entered: 12/06/2018)
12/07/2018	119	Unopposed MOTION for Extension of Time to File Response/Reply as to 114 MOTION for Sanctions by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN (Attachments: # 1 Text of Proposed Order)(McClanahan, Kelly) (Entered: 12/07/2018)
12/10/2018		MINUTE ORDER: Upon consideration of Plaintiffs' unopposed motion for extension of time, Dkt. 119 , it is hereby ORDERED that the motion is GRANTED. Plaintiffs shall file a reply in support of their motion for sanctions, Dkt. 114 , on or before December 11, 2018. Signed by Judge Randolph D. Moss on 12/10/2018. (lcrdm2,) (Entered: 12/10/2018)
12/10/2018		Set/Reset Deadlines: Plaintiffs shall file a reply in support of their motion for sanctions, Dkt. 114 , on or before 12/11/2018. (zkt) (Entered: 12/10/2018)
12/11/2018	120	Consent MOTION for Extension of Time to <i>File Defendant's Partial Motion for Summary Judgment and Related Briefing Schedule</i> by DEPARTMENT OF JUSTICE

		(Adebonojo, Kenneth) (Entered: 12/11/2018)
12/11/2018		MINUTE ORDER: Upon consideration of Defendants' motion for an extension of time to file, Dkt. 120, it is hereby ORDERED that the motion is GRANTED. Defendants shall file their motion for partial summary judgment on or before December 14, 2018. It is further ORDERED that Plaintiffs shall file a response and cross-motion for an injunction on or before February 5, 2019; Defendants shall file a combined opposition to Plaintiffs' motion and reply brief in support of their own motion on or before March 6, 2019; and Plaintiffs shall file a reply brief in support of their motion for an injunction on or before March 21, 2019. The briefing schedule regarding Plaintiffs' motion for sanctions remains unchanged from the Court's December 10, 2018 minute order. Signed by Judge Randolph D. Moss on 12/11/2018. (lcrdm2,) (Entered: 12/11/2018)
12/11/2018	<u>121</u>	REPLY to opposition to motion re <u>114</u> MOTION for Sanctions filed by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN. (McClanahan, Kelly) (Entered: 12/12/2018)
12/12/2018		Set/Reset Deadlines: Defendants shall file their motion for partial summary judgment on or before 12/14/2018; Plaintiffs shall file a response and cross-motion for an injunction on or before 2/5/2019; Defendants shall file a combined opposition to Plaintiffs' motion and reply brief in support of their own motion on or before 3/6/2019; Plaintiffs shall file a reply brief in support of their motion for an injunction on or before 3/21/2019. (kt) (Entered: 12/12/2018)
12/13/2018	<u>122</u>	MOTION for Extension of Time to <i>File Defendant's Partial Motion for Summary Judgment and Related Briefing Schedule</i> by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 12/13/2018)
12/14/2018		MINUTE ORDER: Upon consideration of Defendant's motion for an extension, Dkt. 122, it is hereby ORDERED that the motion is GRANTED. Defendant shall file a its motion for summary judgment on or before December 17, 2018; Plaintiffs' response and cross-motion for an injunction is due on or before February 8, 2019; Defendants reply in support of their motion for partial summary judgment and opposition to Plaintiffs' motion for an injunction is due on or before March 6, 2019; Plaintiffs' reply in support of their motion for an injunction is due on or before March 21, 2019. No further extensions of time will be granted absent a showing of extraordinary circumstances. Signed by Judge Randolph D. Moss on 12/14/2018. (lcrdm2,) (Entered: 12/14/2018)
12/14/2018		Set/Reset Deadlines: Defendant shall file a its motion for summary judgment on or before 12/17/2018; Plaintiffs' response and cross-motion for an injunction is due on or before 2/8/2019; Defendants reply in support of their motion for partial summary judgment and opposition to Plaintiffs' motion for an injunction is due on or before 3/6/2019; Plaintiffs' reply in support of their motion for an injunction is due on or before 3/21/2019. (kt) (Entered: 12/14/2018)
12/17/2018	<u>123</u>	MOTION for Partial Summary Judgment by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Memorandum in Support, # <u>3</u> Declaration David M. Hardy, Esq., # <u>4</u> Exhibit)(Adebonojo, Kenneth) Modified event title on 12/19/2018 (znmw). (Entered: 12/17/2018)
02/08/2019	<u>124</u>	MOTION for Declaratory Judgment , MOTION for Permanent Injunction by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Declaration Jeffrey Light, # <u>2</u> Declaration Ryan Noah Shapiro (Second), # <u>3</u> Exhibit 1 and 2, # <u>4</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 02/08/2019)
02/08/2019	<u>125</u>	Memorandum in opposition to re <u>123</u> MOTION for Partial Summary Judgment filed by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT. (Attachments: # <u>1</u> Declaration Ryan Noah Shapiro (Second), # <u>2</u> Declaration Jeffrey Light (Second), # <u>3</u> Exhibit 1–6, # <u>4</u> Statement of Facts, # <u>5</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 02/08/2019)
02/08/2019	<u>126</u>	Cross MOTION for Summary Judgment by NATIONAL SECURITY COUNSELORS, RYAN NOAH SHAPIRO, JEFFREY STEIN, TRUTHOUT (Attachments: # <u>1</u> Declaration Ryan Noah Shapiro (Second), # <u>2</u> Declaration Jeffrey

		Light (Second), # <u>3</u> Exhibit 1–6, # <u>4</u> Statement of Facts, # <u>5</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 02/08/2019)
03/04/2019	<u>127</u>	MOTION for Extension of Time to <i>File Defendant's Combined Reply and Opposition to Plaintiff's Cross–Motion and Motion for Declaratory Judgment</i> by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 03/04/2019)
03/05/2019		MINUTE ORDER: Upon consideration of Defendant's consent motion for an extension of time to file, Dkt. 127, it is hereby ORDERED that the motion is granted. Defendants Reply and Opposition to Plaintiffs Cross–Motion and Motion for Declaratory Judgment is due on or before April 17, 2019, and Plaintiffs Reply is due on or before May 1, 2019. Signed by Judge Randolph D. Moss on 3/5/2019. (lcrdm2,) (Entered: 03/05/2019)
03/05/2019		Set/Reset Deadlines: Defendants Reply and Opposition to Plaintiffs Cross–Motion and Motion for Declaratory Judgment is due on or before 4/17/2019; Plaintiffs Reply is due on or before 5/1/2019. (kt) (Entered: 03/05/2019)
04/17/2019	<u>128</u>	Consent MOTION for Extension of Time to <i>File Defendant's Combined Reply and Opposition to Plaintiffs' Cross–Motion and Motion for Declaratory Judgment</i> by DEPARTMENT OF JUSTICE (Adebonojo, Kenneth) (Entered: 04/17/2019)
04/18/2019		MINUTE ORDER: It is ORDERED that the parties shall appear for a status conference at 10:30 a.m. on May 3, 2019 in Courtroom 21. Signed by Judge Randolph D. Moss on 4/18/2019. (lcrdm2,) (Entered: 04/18/2019)
04/18/2019		Set/Reset Hearings: Status Conference set for 5/3/2019, at 10:30 AM, in Courtroom 21, before Judge Randolph D. Moss. (kt) (Entered: 04/18/2019)
04/22/2019		MINUTE ORDER: It is hereby ORDERED that the status conference scheduled for Friday, May 3, 2019 is hereby VACATED and RESCHEDULED for a motions hearing and status conference at 10:30 a.m. May 2, 2019 in Courtroom 21. The parties shall be prepared to address the merits of their fully–briefed cross–motions for summary judgment, Dkt. 97 and 99, and Defendant shall appear with a witness who is prepared, if necessary, to discuss the withholdings at issue in those cross–motions. It is further ORDERED that, in light of Defendant's recent representation that "after reviewing Plaintiffs' pleadings, Defendant believes that it will have to take another look at its production and determine whether there are additional records to be lawfully produced," Dkt. 128, the parties shall also be prepared to address the status of the current motions, Dkt. 123, 124, 126, and the scope of issues remaining before the Court. Signed by Judge Randolph D. Moss on 4/22/2019. (lcrdm2,) (Entered: 04/22/2019)
04/23/2019		Set/Reset Hearings: The Status Conference set for 5/3/2019 is VACATED and RESCHEDULED for 5/2/2019, at 10:30 AM, in Courtroom 21, before Judge Randolph D. Moss. (kt) (Entered: 04/23/2019)
05/02/2019		Minute Entry for proceedings held before Judge Randolph D. Moss: Motion Hearing held on 5/2/2019 re: <u>97</u> MOTION for Summary Judgment filed by DEPARTMENT OF JUSTICE, <u>99</u> Cross MOTION for Summary Judgment filed by TRUTHOUT, NATIONAL SECURITY COUNSELORS, JEFFREY STEIN, RYAN NOAH SHAPIRO, <u>114</u> MOTION for Sanctions filed by NATIONAL SECURITY COUNSELORS, JEFFREY STEIN, RYAN NOAH SHAPIRO, <u>123</u> MOTION for Partial Summary Judgment filed by DEPARTMENT OF JUSTICE, <u>124</u> MOTION for Declaratory Judgment MOTION for Permanent Injunction filed by TRUTHOUT, NATIONAL SECURITY COUNSELORS, JEFFREY STEIN, RYAN NOAH SHAPIRO, <u>126</u> Cross MOTION for Summary Judgment filed by TRUTHOUT, NATIONAL SECURITY COUNSELORS, JEFFREY STEIN, RYAN NOAH SHAPIRO, and <u>128</u> Consent MOTION for Extension of Time to <i>File Defendant's Combined Reply and Opposition to Plaintiffs' Cross–Motion and Motion for Declaratory Judgment</i> filed by DEPARTMENT OF JUSTICE. Order forthcoming. (Court Reporter Jeff Hook.) (kt) (Entered: 05/02/2019)
05/02/2019		MINUTE ORDER: For the reasons stated on the record at the May 2, 2019 hearing, it is hereby ORDERED that Defendant's motion for summary judgment, Dkt. <u>97</u> , is DENIED and Plaintiffs' cross–motion for summary judgment, Dkt. <u>99</u> , is GRANTED in part and DENIED in part. Specifically, the Court ORDERS the

following with respect to the fully-briefed cross-motions for summary judgment:

With respect to the 36 file numbers at issue, Defendant shall review Plaintiffs' list of purportedly acknowledged file numbers, Dkt. [99-1], and, upon receipt of evidence substantiating any such acknowledgment, shall disclose any identical file numbers withheld in this litigation. With respect to the FBI's withholdings of any remaining file numbers under FOIA Exemption 7(E) and Exemption 3, the FBI's motion is **DENIED**. The FBI may renew its motion pursuant to the schedule for further briefing outlined below and shall, at that time, provide the Court with additional factual and legal support for those withholdings and may, if necessary, seek leave to file a supporting declaration *ex parte* and *in camera*. Plaintiffs' motion for summary judgment is **GRANTED** as to segregability of the NSC and Stein records at issue, and it is, accordingly, **ORDERED** that the FBI shall segregate and disclose non-exempt portions of those records. It is further **ORDERED** that the FBI shall resubmit a copy of the Sixth Hardy Declaration *ex parte* and *in camera* regarding its bases for withholdings from the Truthout records; Plaintiffs' motion for summary judgment with respect to those withholdings is **DENIED** but may be renewed pursuant to the schedule for further briefing outlined below. The FBI's motion is further **DENIED** as to the applicability of Exemption 5 to the 32 pages of records related to the *Leopold* litigation. The FBI may renew its motion to the extent it can show that the withheld material relates to the issue raised in the *Leopold* litigation. To the extent the FBI cannot establish such a nexus, it shall release the previously withheld records. In all other respects, both parties' cross-motions for summary judgment are **DENIED**.

It is further **ORDERED** that Plaintiffs' motion for sanctions, Dkt. 114, is denied. As explained on the record, the Court concludes that Plaintiffs have failed to identify any pleading or representation made to this Court for an improper purpose or without support and, in any event, have failed to make the type of *prima facie* showing of misconduct necessary to trigger an obligation by the Department of Justice to rebut Plaintiffs' allegations, particularly to the extent those allegations turn on the deliberative communications between the U.S. Attorney's Office and the Office of the Solicitor General.

It is further **ORDERED** that the parties' cross-motions for summary judgment, Dkt. 123, 126, and Plaintiffs' motion for declaratory and injunctive relief, Dkt. 124, are hereby **DENIED** without prejudice. The parties may renew these motions pursuant to the schedule outlined below.

It is further **ORDERED** that the following briefing schedule shall govern further proceedings in this case: Defendant shall file a motion for summary judgment on all remaining issues on or before August 2, 2019; Plaintiffs shall file a combined opposition and cross-motion for summary judgment, including the basis for any injunctive or declaratory relief sought, on or before September 13, 2019; Defendant shall file a combined opposition and reply in support of its motion for summary judgment on or before October 11, 2019; and Plaintiffs shall file a reply brief in support of their cross-motion for summary judgment on or before November 8, 2019. Should Defendant seek leave to file any further materials *ex parte* and *in camera*, Plaintiffs shall file any opposition within 14 days, and Defendant shall file any reply in support within a further seven days of receipt of Plaintiffs' opposition. Signed by Judge Randolph D. Moss on 5/2/2019. (lcrdm2,) (Entered: 05/02/2019)